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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
QUINONES, ISMAEL C	
ART UNIT	**PAPER NUMBER**
2686	6

DATE MAILED: 05/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/995,016	OTSUKA ET AL.	
	Examiner	Art Unit	
	Ismael Quiñones	2686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 November 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3, 12-19* is/are rejected.

7)☒ Claim(s) *4-11, 20-23* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *4 & 5*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statements (IDS) submitted on March 4th, 2004 and April 16, 2004 have being considered by the examiner and made of record in the application file.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: "Dual Display Portable Telephone Device and Allocation Means for Display Process Thereof".

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this

subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1-2** are rejected under 35 U.S.C. 102(e) as being anticipated by Narayanaswamy et al. (U.S Pat. No. 6,144,358).

Regarding **claim 1**, Narayanaswamy et al. disclose a portable telephone device (A portable telephone device such as a cellular phone; *col. 2, lines 16-18; Figs. 1A-1B, item 100*) comprising: two displays of substantially a same size (Two 5" x 2.5" flat-panel displays; *col. 2, lines 53-58; Figs. 1B-1C; items 104 and 106*); and allocation means for allocating a different display process to each of the displays (A display driver that distributes different display process or image signals; *col. 2, lines 6-15; col. 3, lines 22-26; Fig. 2*), wherein each display process is a process for outputting different display data including at least one of image data and character data (Wherein each of the displays operate as distinct displays that display different images; *col. 4, lines 42-46*).

Regarding **claim 2**, and as applied to claim 1, Narayanaswamy et al. disclose the aforementioned portable telephone device wherein the displays are positioned so that display content on each of the displays is visible in one field of vision (The portable telephone device shown in its open configuration, wherein the displays are positioned next to each other, therefore both displays are visible in one field of vision; *col. 2, lines 32-36; col. 4, lines 12-14; Figs. 1B-1C*).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

9. **Claims 3, 13-15, and 17-18** are rejected under 35 U.S.C. 103(a) as being unpatentable over Narayanaswamy et al. (U.S Pat. No. 6,144,358) in view of Suso et al. (U.S Pat. No. 6,466,202).

Regarding **claim 3**, and as applied to claim 2, Narayanaswamy et al. disclose the aforementioned portable telephone device wherein the allocation means includes: a

storage unit (A memory for storing images) for storing a table showing a correspondence between each of the displays and the display process being allocated thereto (Wherein the device comprises a display driver for retrieving images from memory and distributing those images to the corresponding display; *col. 3, lines 22-29; col. 3, line 65 thru col. 4, line 1; Figs. 2-3*); and an updating unit for updating the table so as to show the correspondence between the selected display and the specified display process (Wherein the image generator receives information from a user, subsequently appropriately updating the images to be displayed; *col. 3, lines 35-46*). Narayanaswamy et al. fail to clearly specify a specification unit for specifying a display process to be allocated to one of the displays and a selection unit for selecting, according to the correspondence shown in the table, one of the displays to allocate the specified display process to, wherein the allocation means allocates the specified display process to the selected display.

In the same field of endeavor, Suso et al. disclose a portable information terminal unit that can be used as a telephone (*col. 1, lines 21-24*) comprising control means for allocating display according to the unit open or closed status (*col. 2, lines 31-33*), the portable information terminal device further comprising a specification unit for specifying a display process to be allocated to one of the displays (Means for displaying the appropriate image according to the image content power consumption characteristics; *col. 5, lines 35-60*); a selection unit for selecting, according to the correspondence shown in the table, one of the displays to allocate the specified display process to (Selecting means wherein the portable information communication unit can be changed into a camera mode, portable telephone mode or a smart phone by user manipulated entry keys

thereby changing the display image according to a selected or shifted operating mode; *col. 7, line 7 thru col. 8, line 50*),wherein the allocation means allocates the specified display process to the selected display (Wherein according to a selected operating mode the image or specified display process is allocated to one of the displays; *col. 7, line 7 thru col. 8, line 50*).

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to have Narayanaswamy et al. multi-display cellular telephone to include allocation means for specifying and selecting multiple display process as taught by Suso et al. for the purpose of selecting a corresponding image according to the task or functionality of a multi-display portable device.

Regarding **claim 13**, and as applied to claim 3, Narayanaswamy et al. disclose the aforementioned portable telephone device. Narayanaswamy et al. fail to clearly specify wherein the allocation means allocates, as the other display process, a display process which outputs the display data forming an image relating one of electronic mail, a game, and telephone directory creation.

Suso et al. further disclose a portable information terminal unit that can be used as a telephone which outputs display data forming an image relating one of electronic mail, a game, and telephone directory creation (*col. 6, lines 31-40; col. 11, 23-36*).

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to have Narayanaswamy et al. multi-display cellular telephone to include features for displaying information data such as electronic mail as

taught by Suso et al. for the purpose of displaying essential information while performing multi-functionalities tasks on the device.

Regarding **claim 14 and claim 15**, and as both applied to claim 2, Narayanaswamy et al. disclose the aforementioned portable telephone device wherein the allocation means includes: a selection instruction reception unit for receiving from the user a selection instruction for selecting. Narayanaswamy et al. fail to clearly specify a selection instruction for selecting, from the displays having a different display process allocated thereto, a display to respond to user display instructions; and a display selection unit for selecting, according to the selection instruction, a display to respond to user display instructions (claim 14), wherein the selection instruction reception unit includes at least one selection key for receiving the selection instruction, and receives the selection instruction by the selection key being continuously operated for a set amount of time (claim 15).

Suso et al. further disclose a portable information terminal unit that can be used as a telephone comprising control means for allocating display, further comprising a selection instruction reception unit for receiving from the user a selection instruction for selecting (manipulation keys for receiving instructions such as user selected operating mode; *col. 4, lines 45-55*), from the displays having a different display process allocated thereto, a display to respond to user display instructions (*items 10 and 11*); and a display selection unit for selecting (Means for displaying the appropriate image according to the image content power consumption characteristics; *col. 5, lines 35-60*), according to the selection instruction, a display to respond to user display instructions (Wherein after

selecting an operating mode a display associated with the operating mode a corresponding image is retrieved and subsequently shown in the one of the displays; *col. 7, line 7 thru col. 8, line 50*), wherein the selection instruction reception unit includes at least one selection key for receiving the selection instruction (manipulation keys for receiving instructions such as user selected operating mode; *col. 4, lines 45-55*), and receives the selection instruction by the selection key being continuously operated for a set amount of time (Pressing a selection key is required to be continuously operated for a set amount of time).

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to have Narayanaswamy et al. multi-display cellular telephone to include user-selected image allocation means as taught by Suso et al. for the purpose of allowing the user to display desired information according to the operability mode of a portable information device.

Regarding **claim 17 and claim 18**, and as both applied to claim 3, Narayanaswamy et al. disclose the aforementioned portable telephone device, the allocation means includes: a selection instruction reception unit for receiving from the user a selection instruction for selecting. Narayanaswamy et al. fail to clearly specify a selection instruction for selecting, from the displays having a different display process allocated thereto, a display to respond to user display instructions; and a display selection unit for selecting, according to the selection instruction, a display to respond to user display instructions (claim 17), wherein the selection instruction reception unit includes

at least one selection key for receiving the selection instruction, and receives the selection instruction by the selection key being continuously operated for a set amount of time.

Suso et al. further disclose a portable information terminal unit that can be used as a telephone comprising control means for allocating display, further comprising a selection instruction reception unit for receiving from the user a selection instruction for selecting (manipulation keys for receiving instructions such as user selected operating mode; *col. 4, lines 45-55*), from the displays having a different display process allocated thereto, a display to respond to user display instructions (*items 10 and 11*); and a display selection unit for selecting (Means for displaying the appropriate image according to the image content power consumption characteristics; *col. 5, lines 35-60*), according to the selection instruction, a display to respond to user display instructions (Wherein after selecting an operating mode a display associated with the operating mode a corresponding image is retrieved and subsequently shown in the one of the displays; *col. 7, line 7 thru col. 8, line 50*), wherein the selection instruction reception unit includes at least one selection key for receiving the selection instruction (manipulation keys for receiving instructions such as user selected operating mode; *col. 4, lines 45-55*), and receives the selection instruction by the selection key being continuously operated for a set amount of time (Pressing a selection key is required to be continuously operated for a set amount of time).

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to have Narayanaswamy et al. multi-display cellular telephone to include user-selected image allocation means as taught by Suso et al. for the

purpose of allowing the user to display desired information according to the mode of operability of the device.

10. **Claims 12** is rejected under 35 U.S.C. 103(a) as being unpatentable over Narayanaswamy et al. (U.S Pat. No. 6,144,358) in view of Harada et al. (U.S Pat. No. 6,486,890).

Regarding **claim 12**, and as applied to claim 2, Narayanaswamy et al. disclose the aforementioned portable telephone wherein the allocation means allocates a display process which outputs the display data forming an image. Narayanaswamy et al. fail to clearly specify said image showing a communication state to one of the displays, and allocates another display process to the other display.

In the same field of endeavor, Harada et al. disclose a portable image display device that allocates an image or display process which outputs the display data forming an image showing a communication state to one of the displays (Wherein one of the display goes into a standby status by no displaying images or different image content after selecting one of the display screens, furthermore allocating images or information data into the selected display screen; *col. 3, lines 5-9; col. 13, lines 32-42 and lines 56-61; Fig. 28; Fig. 36B and Fig. 36C*), and allocates another display process to an alternate display (Wherein after selecting a display screen or dual-screen independent mode different image content is retrieved and shown in both display screens; *col. 3, lines 5-9; col. 12, lines 8-13; Fig. 28; Fig. 35B and Fig. 35C; Fig. 36B*).

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to have Narayanaswamy et al. multi-display cellular telephone to show a communication state into one of a plurality of displays, while allocating another display process as taught by Harada et al. for the purpose of providing continuous visual states information to the user of the multi-display portable device.

11. **Claims 16 and 19** are rejected under 35 U.S.C. 103(a) as being unpatentable over Narayanaswamy et al. (U.S Pat. No. 6,144,358) in view of Suso et al. (U.S Pat. No. 6,466,202) further in view of Kage et al. (U.S Pat. No. 6,411,278).

Regarding **claim 16**, and as applied to claim 15, Narayanaswamy et al. in view of Suso et al. disclose the aforementioned portable telephone. Narayanaswamy et al. in view of Suso et al. fail to clearly specify wherein the allocation means further includes: a position storing unit which stores cursor position information, the cursor position information showing a position of a cursor on a display screen of the selected display; a position updating unit for updating, each time the cursor is moved according to a user display instruction, the cursor position information into cursor position information which shows a position to which the cursor has been moved, and the display selection unit further has the cursor displayed, according to the selection instruction, in the position shown in the position information stored in the position storing unit.

In the same field of endeavor, Kage et al. disclose a coordination position control system intended for a display unit, comprising a position storing unit which stores cursor position information (A memory for storing accumulated cursor movements or position

information; *col. 8, lines 38-40 and lines 57-59*), the cursor position information showing a position of a cursor on a display screen of the selected display (A cursor or icon displayed on a screen or a display unit; *col. 1, lines 10-16*); a position updating unit for updating, each time the cursor is moved according to a user display instruction (An updating section for updating cursor coordinate positions; *col. 8, lines 31-40*), the cursor position information into cursor position information which shows a position to which the cursor has been moved (*col. 1, lines 10-16*), and the display selection unit further has the cursor displayed, according to the selection instruction, in the position shown in the position information stored in the position storing unit (*col. 1, lines 10-16; col. 8, lines 31-40*).

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to have Narayanaswamy et al. multi-display cellular telephone as modified by Suso et al. to include cursor position storing and updating procedures as taught by Kage et al. for the purpose of enhancing the coordinated movements of a selection instruction key while synchronizing its respecting image display with those coordinated movements applied by a user of a portable information device.

Regarding **claim 19**, and as applied to claim 18, Narayanaswamy et al. in view of Suso et al. disclose the aforementioned portable telephone. Narayanaswamy et al. in view of Suso et al. fail to clearly specify wherein the allocation means further includes: a position storing unit which stores cursor position information, the cursor position information showing a position of a cursor on a display screen of the selected display; a

position updating unit for updating, each time the cursor is moved according to a user display instruction, the cursor position information into cursor position information which shows a position to which the cursor has been moved, and the display selection unit further has the cursor displayed, according to the selection instruction, in the position shown in the position information stored in the position storing unit.

In the same field of endeavor, Kage et al. disclose a coordination position control system intended for a display unit, comprising a position storing unit which stores cursor position information (A memory for storing accumulated cursor movements or position information; *col. 8, lines 38-40 and lines 57-59*), the cursor position information showing a position of a cursor on a display screen of the selected display (A cursor or icon displayed on a screen or a display unit; *col. 1, lines 10-16*); a position updating unit for updating, each time the cursor is moved according to a user display instruction (An updating section for updating cursor coordinate positions; *col. 8, lines 31-40*), the cursor position information into cursor position information which shows a position to which the cursor has been moved (*col. 1, lines 10-16*), and the display selection unit further has the cursor displayed, according to the selection instruction, in the position shown in the position information stored in the position storing unit (*col. 1, lines 10-16; col. 8, lines 31-40*).

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to have Narayanaswamy et al. multi-display cellular telephone as modified by Suso et al. to include cursor position storing and updating procedures as taught by Kage et al. for the purpose of enhancing the coordinated

movements of a selection instruction key while synchronizing its respecting image display with those coordinated movements applied by a user of a portable information device.

Allowable Subject Matter

12. **Claims 4-11, and 20-23** objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Consider **claims 4, 10 and 20**, the prior art of record fails to teach, disclose, or suggest a portable telephone device wherein a specification unit includes: a detection unit for detecting a call signal, wherein a specification unit, on detecting the call signal, specifies a display process which outputs display data forming an image showing to a communication state and which is to be newly allocated to one of the displays, and a instruction receiving unit for receiving an operation instruction from a user, the specification unit specifying, a display process to be newly allocated to a display from a plurality of display processes, according to the operation instruction; wherein a selection unit includes: a judgement unit for judging, based on the table, whether a state of either of the displays is one of (a) having no display process allocated thereto, and (b) having a display process outputting the display data forming an image of stand-by display allocated thereto, wherein the selection unit, when the judgement unit judges the state of one of the displays to be one of (a) and (b), selects the display as a display to which the specified display process is to be newly allocated.

The best prior art found during the prosecution of the present application, Narayanaswamy et al. (U.S Pat. No. 6,144,358) in view of Suso et al. (U.S Pat. No. 6,466,202) disclose to teach, disclose, or suggest a portable electronic device such as a cellular telephone comprising two or more display devices or screens that can be used to display different subsets of image signals, said device further comprising storage means for allocating images into the plurality of display devices or means, selectivity means for selecting an operating mode an allocating a corresponding image according to a selected operating mode, specification means for displaying the appropriate image according to the image content power consumption characteristics and updating means for receiving information from a user and subsequently appropriately updating the images to be displayed.

Narayanaswamy et al. (U.S Pat. No. 6,144,358) in view of Suso et al. (U.S Pat. No. 6,466,202) fail to specifically teach, disclose or suggest a judgement unit for judging, based on the table, whether a state of either of the displays is one of (a) having no display process allocated thereto, and (b) having a display process outputting the display data forming an image of stand-by display allocated thereto, wherein the selection unit, when the judgement unit judges the state of one of the displays to be one of (a) and (b), selects the display as a display to which the specified display process is to be newly allocated.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Kunos et al. (U.S. Pat. No. 5,467,102), Portable Display Device with at Least Two Display Screens Controllable Collectively or Separately.

b. Yamamoto et al. (U.S. Pat. No. 6,297,945), Portable Electronic Terminal Apparatus Having a Plurality of Displays.

c. Reber et al. (U.S. Pat. No. 6,418,325), Handheld Device Having an Optical Reader.

14. Any response to this Office Action should be **faxed to** (703) 872-9306 or **mailed to:**

Commissioner of Patents and Trademarks

P.O. Box 1450

Alexandria, VA 22313-1450

Hand-delivered responses should be brought to

Crystal Park II

2021 Crystal Drive

Arlington, VA 22202

Sixth Floor (Receptionist)

15. Any inquiry concerning this communication on earlier communications from the Examiner should be directed to Ismael Quiñones whose telephone number is (703) 305-8997. The Examiner can normally be reached on Monday-Friday from 8:00am to 5:00pm.

16. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Marsha D. Banks-Harold can be reached on (703) 305-4379, and fax number is (703) 746-9818. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9301.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose number is (703) 305-4700 or call customer service at (703) 306-0377.

Ismael Quiñones

I.Q.

May 13, 2004

RAFAEL PEREZ-GUTIERREZ
PATENT EXAMINER
5/15/04